

REMARKS

In view of the above amendments, and the following remarks, Applicants request favorable reconsideration of the above-identified application.

Claims 59-62, 65-69, 72-75, and 79 are now pending in this application, with Claims 59, 66, and 73 being independent. By this Amendment, Applicant has canceled Claims 63, 64, 70, 71, 77, and 78, and amended Claims 59, 66, and 73.

Claims 64, 71, and 78 stand objected to as being dependent upon a rejected base claim, but would allowable if rewritten in independent form.

Claims 59-61, 63, 65-68, 70, 72-75, 77, and 79 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,742,306 (Gompertz, et al.). Claims 62, 69, and 76 stand rejected under 35 U.S.C. § 103 as being unpatentable over Gompertz, et al.

Applicants would like to thank the Examiner for acknowledging that Claims 64, 71, and 78 would be allowable if rewritten in independent form to include the features of their base and intervening claims. Rather than rewrite those claims in independent form, Applicants have amended their corresponding independent claims. Specifically, Applicants have amended (i) independent Claim 59 to include the features from Claims 63 and 64, (ii) independent Claim 66 to include the features of Claims 70 and 71, and (iii) independent Claim 73 to include the features of Claims 77 and 78.

Applicants note, however, that the features of intervening Claims 60, 67, and 74 have not been incorporated into independent Claims 59, 66, and 73, respectively. Nevertheless, Applicants submit that the independent claims are allowable in view of the

incorporation of the features from Claims 64, 71, and 78, regardless of the noninclusion of the features recited in intervening Claims 60, 67, and 74.

Specifically, the independent claims are generally directed to facsimile printing selectively using a first unit for color image printing and a second unit for high-quality color image printing. Those claims have been amended to recite, generally, an operation of controlling a facsimile apparatus to print a received color facsimile image by the first unit, and not the second unit, wherein a received facsimile image is stored in a storage unit if the second unit has been loaded into the facsimile apparatus, rather than the first unit. In this manner, wasted use of the unit for high-quality color image printing can be avoided.

Gompertz, et al. is directed to ink jet printing in which different ink jet cartridges are selectively used. However, Applicants submit that that document does not describe or suggest the storage of a received facsimile image when a preferred printing unit to print the image is not loaded in the device. Instead, as discussed at column 6, lines 34-57, Gompertz, et al. describes that a printing apparatus detects which printing cartridge is loaded in the device and then uses an appropriate rendering scheme suitable for the installed cartridge.

Accordingly, Applicants submit that Gompertz, et al. fails to disclose or suggest at least the features of selectively loading either of first and second units into a facsimile apparatus, and storing a received facsimile image if the second unit has been loaded, as generally recited in independent Claims 59, 66, and 73.

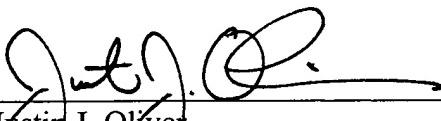
The remaining claims in the present application are dependent claims which depend from the above-discussed independent claims, and thus are patentable over the applied patent for reasons noted above with respect to those independent claims. In addition, each recites features of the invention still further distinguishing it from the applied patent. Applicants request favorable and independent consideration thereof.

For the foregoing reasons, Applicants request withdrawal of the outstanding rejections under 35 U.S.C. §§ 102 and 103, and allowance of this application.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and is believed to clearly place this application in condition for allowance. At the very least, the changes presented herein reduce the number of issues on appeal. Applicants request entry of this Amendment under 37 C.F.R. § 1.116.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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